



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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October 10, 2001

Mr. John Ashton, Esq.  
Prince, Yeates, Geldzahler  
City Center One, Suite 900  
175 East 400 South  
Salt Lake City, Utah 84111

Re: Response to Division Directive to Replace Reclamation Surety, Gemstone Mining Inc.,  
Red Emerald Mine, M/001/045, Beaver County, Utah

Dear Mr. Ashton:

We appreciate your letter received October 4, 2001, responding to our September 26, 2001 letter. This letter is to advise you that the Division needs to file a Request for Agency Action by October 19, 2001, in order for the matter to be heard before the Board of Oil, Gas and Mining at its December 5<sup>th</sup> hearing. We have little choice than to proceed to notice up this matter regardless of what may happen between the October 19<sup>th</sup> and the December 5<sup>th</sup> hearing date. If Gemstone Mining Company's foreclosure (or any new operator's transfer and bond) is worked out before December 5<sup>th</sup>, we can cancel the Board matter; however, we have to make our filings within specified timeframes.

Thank you for your attention to this matter. Please call if you have any further questions regarding this issue.

Sincerely,

Tom Munson  
Senior Reclamation Specialist

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cc: Ed Ginouves, BLM, Cedar City FO  
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